

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
RED ROCK SOURCING LLC and  
CORONADO DISTRIBUTING LLC,  
:

Plaintiffs,  
:

-v-  
:

JGX LLC and LIBERTY INTERNATIONAL  
DISTRIBUTORS LLC,  
:

Defendants.  
:  
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21 Civ. 1054 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On November 4, 2021, the Court ordered non-party Rigz, LLC (“Rigz”) to advise the Court by November 11, 2021 whether it has complied with the subpoenas issued to Rigz by Plaintiffs and Defendant JGX LLC (the “Subpoenas”) and, if not, show cause why it has failed to comply with the Subpoenas and why the Court should not issue an order compelling it to complete its production of documents in compliance with the Subpoenas. Dkt. 74. On November 11, 2021, Rigz advised the Court, in a letter sent via email, that Rigz “has fully complied with the subpoenas in this action, having produced thousands of pages of documents, with a final production of documents on October 22, 2021.” Dkt. 75. Rigz also advised the Court that “[t]he place of compliance for both the production of documents and depositions is in Arizona, where the witnesses reside and where Rigz has its principal place of business.” *Id.* As such, “should this Court deem it necessary to issue an order on the subpoenas, . . . the jurisdiction for such an order lies in Arizona.” *Id.*

In light of Rigz’s letter, Plaintiffs and Defendant JGX LLC shall submit a letter by November 15, 2021 responding to Rigz’s assertion that (i) it has fully complied with the

Subpoenas, and (ii) this Court does not have the authority to compel Rigz's compliance with the Subpoenas under Rule 45(d)(2)(B)(i) of the Federal Rules of Civil Procedure, which provides that "the serving party may move the court for the district where compliance is required for an order compelling production or inspection" of subpoenas issued pursuant to Rule 45. *See also* Fed. R. Civ. P. 45(f) advisory committee's note to 2013 amendment ("Under Rules 45(d)(2)(B), 45(d)(3), and 45(e)(2)(B), subpoena-related motions and applications are to be made to the court where compliance is required under Rule 45(c)."); *cf. Arrowhead Capital Finance, Ltd. v. Seven Arts Ent., Inc.*, No. 14 Civ. 6512 (KPF), 2021 WL 411379, at \*2 (S.D.N.Y. Feb. 5, 2021) ("[T]he Court notes that subsection (d)(3) of Rule 45 dictates that a motion to quash a subpoena must be timely filed with 'the court for the district where compliance is required,' *not* with the issuing court.").

SO ORDERED.

Dated: November 12, 2021  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge